SCHEDULE 16

Potato brown rot

PART A

Special measures for the control of Potato brown rot

Susceptible material or objects contaminated or possibly contaminated with Potato brown rot

2. No person may knowingly plant or knowingly cause or permit to be planted—
   (a) any contaminated susceptible material; or
   (b) any possibly contaminated susceptible material.

3. A notice may require that—
   (a) contaminated susceptible material be subjected to any measure that complies with point 1 of Annex VI to Directive 98/57/EC;
   (b) possibly contaminated susceptible material be used or disposed of in accordance with point 2 of Annex VI to Directive 98/57/EC;
   (c) a contaminated object or a possibly contaminated object be—
      (i) disposed of by destruction; or
      (ii) cleansed and disinfected so that there is no identifiable risk of Potato brown rot spreading.

4. Anything cleansed and disinfected in accordance with paragraph 3(c)(ii) may no longer be treated as contaminated for the purposes of Directive 98/57/EC.

Measures which may be required in relation to a contaminated place of production

5. An inspector may serve the following notices in relation to a contaminated place of production which is in a zone demarcated by an inspector under article 40(7)—
   (a) in the case of a contaminated field or unit of protected crop production, a notice containing the first set of eradication measures or a notice containing the second set of eradication measures;
   (b) in the case of a field which is not contaminated and, where the inspector is satisfied that the risk of volunteer potato and tomato plants and other naturally-found host plants of Potato brown rot has been eliminated, a notice containing the third set of eradication measures.

6. The first set of eradication measures are—
   (a) the measures to be taken in the field or the unit fom the date of receipt of the notice and for at least four growing yearsfrom the start of the first growing year so as to eliminate any volunteer potato and tomato plants and other host plants, including solanaceous weeds, of Potato brown rot;
   (b) a prohibition on the planting of any of the following in the field or the unit during that period—
      (i) potato tubers, plants or true seeds;
      (ii) tomato plants or seeds;

(iii) taking into account the biology of Potato brown rot, other host plants or plants of the species Brassica for which there is a risk of Potato brown rot surviving;

(iv) crops for which there is a risk of Potato brown rot spreading;

(c) a requirement that in the first cropping season following that period only potatoes for ware production be planted in the field or the unit, provided that the field or the unit has been found free from volunteer potato and tomato plants and other host plants, including solanaceous weeds, of Potato brown rot, for at least the two consecutive growing years prior to planting; and

(d) a requirement that an appropriate rotation cycle be applied in subsequent potato or tomato cropping seasons, which must be at least two years where potatoes are to be planted for seed production.

7. The second set of eradication measures are—

(a) the measures to be taken in the field or the unit from the date of receipt of the notice and for five growing years from the start of the first growing year so as to eliminate volunteer potato and tomato plants and other naturally-found host plants, including solanaceous weeds, of Potato brown rot;

(b) a requirement that—

(i) during the first three of those growing years, the field or the unit be maintained—

(aa) in bare fallow;

(bb) in cereals, if the inspector is satisfied that there is no risk of Potato brown rot spreading;

(cc) in permanent pasture with frequent close cutting or intensive grazing; or

(dd) as grass for seed production;

(ii) only non-host plants of Potato brown rot for which there is no risk of Potato brown rot surviving or spreading be planted in the field or the unit; and

(iii) a requirement that in the first potato or tomato cropping season following that period only potatoes for seed or ware production be planted.

8. The third set of eradication measures are—

(a) a requirement that from the date of receipt of the notice and for the first growing year only the following potatoes and tomato plants be planted in the field—

(i) certified seed potatoes for ware production;

(ii) tomato plants grown from seed which meets the requirements of Directive 2000/29/EC, for fruit production;

(b) a requirement that, if potatoes are to be planted in the first subsequent growing year, only the following potatoes be planted for seed or ware production in that year—

(i) certified seed potatoes;

(ii) seed potatoes officially tested for the absence of Potato brown rot and grown under official control at a place of production which is not contaminated;

(c) a requirement that, if tomato plants are to be planted in the first subsequent growing year, only the following tomato plants be planted for plant or fruit production in that year—

(i) tomato plants grown from seed which meets the requirements of Directive 2000/29/EC;

(ii) if vegetatively propagated, tomato plants grown from seed which meets the requirements of Directive 2000/29/EC and grown under official control at a place of production which is not contaminated;

(d) a requirement, in the case of potatoes, that in the second subsequent growing year and any other subsequent growing year, only certified seed potatoes or seed potatoes grown under official control from certified seed potatoes be planted for seed or ware production in the field;

(e) a requirement, in the case of tomatoes, that during the second subsequent growing year and any other subsequent growing year, only tomato plants grown from seed which meets the requirements of Directive 2000/29/EC or if, vegetatively propagated, tomato plants grown from seed which meets the requirements of Directive 2000/29/EC and grown under official control be planted for plant or fruit production in the field; and

(f) the measures to be taken in the field from the date of receipt of the notice to the end of the growing year specified in the notice so as to eliminate volunteer potato plants, and naturally-found host plants, of Potato brown rot.

9. A notice in relation to a contaminated place of production may—

(a) require for a specified period that all machinery and storage facilities at the place of production which are used for potato or tomato production be cleansed and, where appropriate, disinfected so that there is no identifiable risk of Potato brown rot spreading;

(b) prohibit any irrigation or spraying programme at the place of production or specify how any irrigation or spraying programme at the place of production must be carried out for the purpose of preventing the spread of Potato brown rot.

10. The measures which may be specified in a notice under paragraph 5 or 9 may be included in a notice with other appropriate measures.

Additional measures applicable in relation to units of protected crop production

11. Where it is possible to replace all of the growing medium in a contaminated unit of protected crop production, no person may plant in the unit any potato tubers, plants or true seeds, tomato plants or seeds or other host plants of Potato brown rot without the written authorisation of an inspector.

12. An inspector may not grant an authorisation under paragraph 11 unless measures have been complied with in accordance with point 4.1(d) of Annex VI to Directive 98/57/EC.

13. An authorisation under paragraph 11 may—

(a) in relation to potato production, specify that only certified seed potatoes or mini-tubers or micro-plants derived from officially tested sources may be used in the production;

(b) in relation to tomato production, specify that only seed which meets the requirements of Directive 2000/29/EC or, if vegetatively propagated, tomato plants produced from seed which meets the requirements of Directive 2000/29/EC and grown under official control, may be used in the production;

(c) prohibit any irrigation or spraying programme at the place of production;

(d) specify how any irrigation or spraying programme at the place of production must be carried out for the purpose of preventing the spread of Potato brown rot.

Status:
Point in time view as at 01/12/2018.

Changes to legislation:
There are currently no known outstanding effects for the The Plant Health Order (Northern Ireland) 2018 (revoked), PART A.